



DECISION MEMORANDUM FOR THOMAS J. VILSACK, SECRETARY

THROUGH: Harris D. Sherman  
Under Secretary, NRE *HDS* 4/26/12

FROM: Thomas L. Tidwell *Mary Wagner* JAN 9 20  
*FOR* Chief

SUBJECT: Re-establishment of the Recreation Resource Advisory Committees  
Charter

**ISSUE:**

The Forest Service is requesting approval to re-establish the charter for the Recreation Resource Advisory Committees (Recreation RACs) in order to continue carrying out the requirements of the Federal Lands Recreation Enhancement Act. The Recreation RACs operate in the Pacific Northwest, Pacific Southwest, Eastern, and Southern Regions of the Forest Service and the State of Colorado.

**BACKGROUND:**

The Federal Lands Recreation Enhancement Act (Pub. L. No. 108-447) (FLREA), signed into law December 8, 2004, gives the Secretary of Agriculture the authority to establish, modify, charge, and collect recreation fees at Federal recreational lands. To do so, REA requires the Secretary to establish Recreation Resource Advisory Committees (Recreation RACs) in each State or region or use existing resource advisory committees to obtain advice regarding recreation fees on Federal recreational lands and waters managed by the USDA Forest Service. A Recreation RAC does not need to be established for a State where the Secretary determines, in consultation with the Governor of the State, insufficient interest exists to ensure representation of balanced points of view. The REA gives the Secretary of the Interior the same authority in regard to lands managed by the Bureau of Land Management (BLM).

More specifically, the Recreation RACs, and any other committee that takes on the responsibility of providing advice on recreation fees, make recommendations on the following:

1. The implementation of a standard amenity recreation fee or an expanded amenity recreation fee or the establishment of a specific recreation fee site.
2. The elimination of a standard amenity recreation fee or an expanded amenity recreation fee.
3. The expansion or limitation of the recreation fee program.
4. The implementation of noncommercial, individual special recreation permit fees, and
5. The implementation of fee-level changes (increases or decreases)

The Forest Service and BLM elected to jointly use existing BLM RACs in the states of Arizona, Idaho, the Dakotas, Montana, Nevada, New Mexico, and Utah. The Forest Service also chartered new Recreation RACs for the Eastern, Southern, Pacific Northwest, and Pacific Southwest Regions, and the State of Colorado. The Forest Service is using an existing advisory board for the Black Hills National Forest in South Dakota. In addition, the Governors of three states—Alaska, Nebraska and Wyoming—requested that their states be exempt from the Recreation RAC requirement, and the two Departments concurred with the exemptions.

Members were initially appointed to the Forest Service established Recreation RACs in February 2007 for the Eastern, Southern & Pacific Northwest Regions, and July 2007 for the Pacific Southwest and state of Colorado. Since that time, member appointments have expired at varying intervals.

REA, which expires December 8, 2014, requires Recreation RACs to meet at least once yearly. Funds for Recreation RAC meetings come both from fee receipts as well as appropriated funds for some staff time.

### **OPTIONS**

*1. Approve the re-establishment of the Recreation RAC charter.*

PROS: Recreation RACs are required by the REA; therefore failure to re-establish the charter will disable the Forest Service from making any changes to the current fee program. In addition, our partner agency, the Bureau of Land Management, depends on the Forest Service established Recreation RACs to make recommendations on their fee proposals in the states and regions described.

CONS: There are no cons to this action.

*2. Disapprove the re-establishment of the Recreation RAC charter.*

PROS: There are no pros to this action.

CONS: The agency will be seen as disregarding a law that governs our fee program. In addition, the Forest Service is one of five agencies covered under REA. Public or congressional concern over the agency's recreation fee program management could have negative effects on these other agencies.

### **RECOMMENDATION:**

Approve the re-establishment of the Recreation RAC charter.

